



CLEAN AIR. HEALTHY COMMUNITIES.

January 10, 2018

Region 4 - RA's Office

**VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED**

JAN 19 2018

Received

Hon. Trey Glenn  
Regional Administrator  
U.S. Environmental Protection Agency, Region 4  
61 Forsyth Street, S.W.  
Mail Code: 9T25  
Atlanta, GA 30303-8960

*Re: Balch & Bingham, ABC Coke/Drummond Company*

Dear Mr. Glenn:

I am writing you today on behalf of Gasp, a 501(c)(3) nonprofit organization dedicated to the reduction of air pollution through education and advocacy — along with the undersigned — to respectfully request ask for further explanation of some of the income you listed on the attached Public Financial Disclosure Form (OGE Form 278e).

Specifically, under section 4 (Sources of Compensation Exceeding \$5,000 in a Year), you list income from the law firm Balch & Bingham for “technical consulting for Drummond/ABC Coke project.” As I’m sure you are aware, Balch & Bingham (“Balch”) and Drummond/ABC Coke are at the center of a public corruption investigation related to EPA cleanup activities in and around the North Birmingham Superfund Site (“35<sup>th</sup> Avenue Site”).

This investigation is being led by the Office of the U.S. Attorney for the Northern District of Alabama. The Department of Justice has (so far) charged Balch attorneys Steve McKinney and Joel Gilbert, Drummond VP David Roberson, and former State of Alabama Representative Oliver Robinson with multiple corruption charges, including conspiracy, bribery, and fraud. The gist of the case is that Robinson accepted bribes from Balch and Drummond in a scheme to block EPA actions. Specifically, they allegedly sought to undermine the EPA proposal to add the 35<sup>th</sup> Avenue Site to the National Priorities List and its concurrent Site Inspection in Tarrant.

In both of these EPA investigations into pollution and contamination, Gasp played a significant role. We asked the EPA to propose adding the 35<sup>th</sup> Avenue Site to the NPL and filed extensive comments supporting the proposal in January 2015. Gasp also formally petitioned the EPA to expand its investigation into potential contamination in nearby Tarrant, which later became known as the Pinson Valley Neighborhood Site.

Due to your own disclosure of connections to these two powerful companies, Balch and Drummond Company, we believe you may have an inherent conflict of interest. The EPA's mission is to protect human health and the environment. Your friends at Balch and Drummond allegedly teamed up to make sure health and the environment were not protected for the residents of the northern Birmingham communities and Tarrant. Real people, many of whom are members of our organization, are being harmed by the toxic pollution spewing from Drummond Company's ABC Coke facility. Furthermore, if you are to oversee permit renewals, enforcement actions, further action taken to ameliorate contamination at the 35<sup>th</sup> Avenue Site etc., it is imperative that the public be informed of every detail of the consulting work you performed for the "Drummond/ABC Coke project" that was paid for by Balch.

That is why we ask that you provide substantial information about the nature of your work for Balch on behalf of Drummond. Such details may include any signed contract, scope of work agreement, correspondence and communications, and any non-privileged work product. We would also appreciate knowing the value of your contract with Balch so that we can determine the depth of this conflict of interest.

The public has a right to know what work you did on behalf of these polluters. Failure to provide such information will result in a call for recusal from any and all decisions related to ABC Coke, Drummond, the Pinson Valley Neighborhood Site, and the 35<sup>th</sup> Avenue Site.

Signed,

A handwritten signature in black ink, appearing to read "Michael Hansen", written over a horizontal line.

Michael Hansen  
Executive Director, Gasp

cc: President Donald J. Trump  
Hon. Scott Pruitt  
Sen. Doug Jones  
Sen. Richard Shelby  
Rep. Gary Palmer  
Rep. Terri Sewell  
Sen. Johnny Isakson  
Sen. Chris Coons  
Sen. Cory Booker